

HOUSE JOINT RESOLUTION 74

By Rinks

A RESOLUTION to create a special joint committee to study the permitting of merchant electric generating plants.

WHEREAS, on March 21, 2002, Executive Order No. 31 lifted a seven-month moratorium on the State's issuance of permits to merchant electric generating plants (electric generating facilities of fifty (50) megawatts or larger that sell power to electric utilities for resale to retail customers); and

WHEREAS, prior to the moratorium, numerous merchant power companies had applied for state permits to build and operate electric generating plants in Tennessee due to our abundant natural resources, central location and proximity to natural gas and electric power lines; and

WHEREAS, in lieu of the moratorium, Executive Order No. 31 established a pilot project to allow the permitting of no more than four (4) new merchant electric generating plants in Tennessee between March 21, 2002 and January 1, 2004; and

WHEREAS, the pilot project requires merchant electric generating plants seeking a state permit to undergo a review by the Department of Economic and Community Development to assess the plant's potential economic and environmental impact; and

WHEREAS, after January 1, 2004, the Department of Economic and Community Development may continue to restrict the number of applications for merchant power plant permits that it will accept for review during each year; and

WHEREAS, while merchant electric generating plants may place additional demands on our natural resources, such facilities may also benefit economically the communities where they are located and may also play a significant role in meeting the energy needs of this State and Nation; and

WHEREAS, this State's energy policy relative to the permitting of merchant electric generating plants is of great importance to all Tennesseans and should be carefully studied by this Body; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That there is hereby created a special joint committee to study the State's application, review and permit system for the siting of merchant electric generating plants and economic and environmental issues associated therewith.

BE IT FURTHER RESOLVED, That the committee shall consist of three (3) members of the House of Representatives and three (3) members of the Senate, to be appointed by the respective speakers.

BE IT FURTHER RESOLVED, That all appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

BE IT FURTHER RESOLVED, That all legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly.

BE IT FURTHER RESOLVED, That the special joint committee shall be convened by the member with the most years of continuous service in the General Assembly, and at its first meeting shall elect a chair, vice-chair and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, That the special committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Third General Assembly no later than February 1, 2004, at which time the committee shall cease to exist.